

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

HARRY L. HAWKINS, M.D.

Holder of License No. 27932
For the Practice of Allopathic Medicine
In the State of Arizona

Case No. MD-07-1059A

**CONSENT AGREEMENT FOR
LETTER OF REPRIMAND**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Harry L. Hawkins, M.D. ("Respondent"), the parties agreed to the following disposition of this matter.

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Respondent acknowledges that he has the right to consult with legal counsel regarding this matter.

2. By entering into this Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. The Board may adopt this Consent Agreement or any part thereof. This Consent Agreement, or any part thereof, may be considered in any future disciplinary action against Respondent.

5. This Consent Agreement does not constitute a dismissal or resolution of other matters currently pending before the Board, if any, and does not constitute any waiver,

1 express or implied, of the Board's statutory authority or jurisdiction regarding any other
2 pending or future investigation, action or proceeding. The acceptance of this Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject
5 of this Consent Agreement.

6 6. All admissions made by Respondent are solely for final disposition of this
7 matter and any subsequent related administrative proceedings or civil litigation involving
8 the Board and Respondent. Therefore, said admissions by Respondent are not intended
9 or made for any other use, such as in the context of another state or federal government
10 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
11 any other state or federal court.

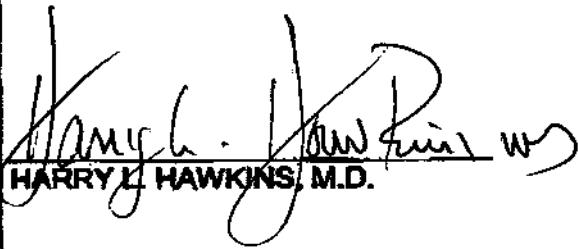
12 7. Upon signing this agreement, and returning this document (or a copy thereof) to
13 the Board's Executive Director, Respondent may not revoke the acceptance of the
14 Consent Agreement. Respondent may not make any modifications to the document. Any
15 modifications to this original document are ineffective and void unless mutually approved
16 by the parties.

17 8. If the Board does not adopt this Consent Agreement, Respondent will not
18 assert as a defense that the Board's consideration of this Consent Agreement constitutes
19 bias, prejudice, prejudgment or other similar defense.

20 9. This Consent Agreement, once approved and signed, is a public record that will
21 be publicly disseminated as a formal action of the Board and will be reported to the
22 National Practitioner Data Bank and to the Arizona Medical Board's website.

23 10. If any part of the Consent Agreement is later declared void or otherwise
24 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
25 and effect.

1 11. Any violation of this Consent Agreement constitutes unprofessional conduct
2 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("Violating a formal order,
3 probation, consent agreement or stipulation issued or entered into by the board or its
4 executive director under this chapter") and 32-1451.

5
6
7 
8 HARRY L. HAWKINS, M.D.

DATED: 24 May 2008

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 27932 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-07-1059A after receiving notification
7 that the Colorado Board of Medical Examiners (CBME) issued a disciplinary letter of
8 admonition (order) to Respondent on October 18, 2007.

9 4. In April 2005, Respondent practiced under a Locum Tenens license as a
10 hospitalist in Colorado. The hospital where he worked raised concern regarding the
11 medications he ordered for four patients and; as a result, terminated his temporary
12 privileges and withdrew his application for permanent privileges. The CBME opened an
13 investigation and found that Respondent made numerous dosing errors and failed to follow
14 dosing guidelines. The CBME issued Respondent an order with the understanding that
15 any future complaints regarding such practice may lead to formal disciplinary proceedings
16 against Respondent's license. The CBME Order is incorporated as referenced.

17 **CONCLUSIONS OF LAW**

18 1. The Board possesses jurisdiction over the subject matter hereof and over
19 Respondent.

20 2. The conduct and circumstances described above constitute unprofessional
21 conduct pursuant to A.R.S. §32-1401(27)(o) ("[a]ction that is taken against a doctor of
22 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
23 physical inability to engage safely in the practice of medicine, the doctor's medial
24 incompetence or for unprofessional conduct as defined by that jurisdiction and that
25 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this

1 paragraph. The action taken may include refusing, denying, revoking or suspending a
2 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
3 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
4 probation by that jurisdiction."). The corresponding act of unprofessional conduct is in
5 A.R.S. § 32-1401(27)(q) ("[a]ny conduct or practice that is or might be harmful or
6 dangerous to the health of the patient or the public.").

7 **ORDER**

8 IT IS HEREBY ORDERED THAT:

9 1. Respondent is issued a Letter of Reprimand for action taken by another state
10 for quality of care issues.

11 2. This Order is the final disposition of case number MD-07-1059A.

12 DATED AND EFFECTIVE this 8th day of August, 2008.

13 ARIZONA MEDICAL BOARD

14 (SEAL)



15 By Lisa S. Wynn

16 Lisa S. Wynn
Executive Director

17 ORIGINAL of this Order filed
18 this 8th day of August, 2008 with:

19 Arizona Medical Board
20 9545 E. Doubletree Ranch Road
21 Scottsdale, AZ 85258

22 EXECUTED COPY of the foregoing mailed
23 this 8th day of August, 2008 to:

24 Jerry L. Haggard, P.C.
25 1248 E. Victor Hugo Avenue
Phoenix, AZ 85022-4950

EXECUTED COPY of the foregoing mailed
this 8th day of August, 2008 to:

1 Harry L. Hawkins, M.D.
2 Address of Record

3 
4 Investigational Review

STATE OF COLORADO

STATE BOARD OF MEDICAL EXAMINERS
Cheryl Hara, Program Director

Department of Regulatory Agencies
D. Rice Munn
Executive Director

1550 Broadway, Suite 1300
Denver, Colorado 80202-5148
Phone (303) 894-7890
Fax (303) 894-7692
TTY: Dial 711 for Relay Colorado
www.dora.state.co.us/medical

Division of Registrations
Rosemary McCool
Director



Bill Ritter, Jr.
Governor

October 18, 2007
Case No. 2005-004777-B

VIA CERTIFIED MAIL
Harry L. Hawkins, M.D.

Dear Dr. Hawkins:

Inquiry Panel B ("Panel") of the Colorado Board of Medical Examiners ("Board") has concluded its inquiry regarding your role in the care and treatment of L.S., B.P., G.M. and K.S. during April 2005 or soon thereafter. It was the Panel's decision not to commence with formal proceedings against your license to practice medicine. However, the Panel did vote to administer disciplinary action to you in the form of this letter of admonition.

As you may recall, while acting as a locum tenens physician in Greeley, Colorado, you provided care to patient B.P., a 77-year-old individual with an obstructed biliary stent, and cholangitis. B.P. had a history of pancreatic cancer and was receiving palliative chemotherapy. The patient had furosemide induced hypokalemia with a normal electrocardiogram. You attempted to rapidly correct the hypokalemia by ordering 100 meq of potassium chloride and 200 ml of D5NS infused over four hours. You then changed the order to 10 meq/hour within 45 minutes.

You also treated patient G.M., a 38-year-old diabetic patient who presented with pancreatitis. After ordering a lipid profile showing this patient's triglycerides to be 2373, you instituted treatment with insulin, heparin infusion, Gemfibrozil, and Atorvastatin, 40 mg three times a day. The Atorvastatin dose was decreased after the pharmacy indicated that the dose you prescribed exceeded the pharmaceutical guidelines.

You also treated 78-year-old patient K.S., who had a history of mitral valve disease and atrial fibrillation and underwent repairs of hernias. His post-operative course was complicated by "coffee grounds" emesis, followed by hypotension. He was believed to have hypovolemic shock and was resuscitated with parenteral fluids, transfusion of packed red blood cells, and vasopressors. You were consulted and performed an esophagastroduodenoscopy, which demonstrated erosive esophagitis. You wrote orders for an 80 mg bolus of Pantoprazole, followed by a 60 mg/hour infusion. Since the pharmacy had a limited supply, you modified the rate to 30 mg/hour. Later, the critical care consultant adjusted the dose to 8 mg/hour.

Letter to Harry L. Hawkins, M.D.
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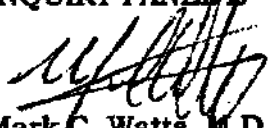
The Panel found that your care and treatment of patients B.P., G.M., and K.S. fell below the generally accepted standards of medical practice, constituting a violation of Section 12-36-117 of the Colorado Revised Statutes. Specifically, you ordered an excessive potassium replacement dose for patient B.P. Similarly, you ordered an excessive dose of Atorvastatin for patient G.M. In addition, your utilization of heparin therapy in this patient would not be considered standard treatment, and the patient should have been apprised of the potential risk and benefits. Finally, you failed to follow dosing guidelines and instead prescribed high intravenous infusion doses of Pantoprazole for patient K.S. No only did you make numerous dosing errors, but you also made a fundamental error in electrolyte replacement therapy.

By this letter, the Panel hereby admonishes you and cautions you that complaints disclosing any repetition of such practice may lead to the commencement of formal disciplinary proceedings against your license to practice medicine, wherein this letter of admonition may be entered into evidence as aggravation.

You are advised that it is your right to have this case reviewed in an administrative proceeding. To do so, you must submit a written request within twenty (20) days after receipt of this letter. In your request you must clearly ask that formal disciplinary proceedings be initiated against you to adjudicate the propriety of the conduct upon which this letter of admonition is based. If such request is timely made, this letter of admonition will be deemed vacated, and the matter will be processed by means of a formal complaint and hearing. This is in accordance with the provisions of the Medical Practice Act governing the discipline of licensed physicians.

Very truly yours,

FOR THE BOARD OF MEDICAL EXAMINERS
INQUIRY PANEL B



Mark C. Watts, M.D.
Acting Chair

MCW:bls